



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ५०]

मंगळवार, ऑगस्ट २, २०१६/श्रावण ११, शके १९३८

[पृष्ठे ६, किंमत : रुपये २७.००

असाधारण क्रमांक ७९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Repealing Bill, 2016 (L. A. Bill No. XXXVIII of 2016), introduced in the Maharashtra Legislative Assembly on the 2nd August 2016, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

N. J. JAMADAR,
Principal Secretary and R.L.A. to Government,
Law and Judiciary Department.

L. A. BILL No. XXXVIII OF 2016.

A BILL

to provide for repeal of certain State enactments.

WHEREAS it is expedient to repeal certain State enactments; it is hereby enacted in the Sixty-seventh Year of the Republic of India as follows :—

- | | |
|--|-------------------------------|
| 1. This Act may be called the Maharashtra Repealing Act, 2016. | Short title. |
| 2. The enactments specified in the Schedule appended hereto are hereby repealed. | Repeal of certain enactments. |

(१)

Savings.

3. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to ;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed ;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

SCHEDULE
(See section 2)

Serial Number	Year	No.	Short Title
(1)	(2)	(3)	(4)
1	1876	XV	The Maharashtra Municipal Debentures Act.
2	1882	VII	The Maharashtra Landing and Wharfage Fees Act.
3	1888	XII	The City of Bombay Municipal (Supplementary) Act, 1888.
4	1898	I	The City of Bombay Municipal Investments Act, 1898.
5	1918	VI	The Maharashtra Disqualification of Aliens Act.
6	1922	XI	The Identification of Prisoners (Bombay Amendment) Act, 1922.
7	1933	XX	The Presidency—towns Insolvency (Bombay Amendment) Act, 1933.
8	1935	XXI	The Identification of Prisoners (Bombay Second Amendment) Act, 1935.
9	1936	XV	The Indian Lunacy, Bombay District Municipal and Bombay Municipal Boroughs (Amendment) Act, 1936.
10	1938	XVIII	The Land Acquisition (Bombay Amendment) Act, 1938.
11	1939	XV	The Presidency-towns Insolvency and the Provincial Insolvency (Bombay Amendment) Act, 1939.
12	1945	XX	The Land Acquisition (Bombay Amendment) Act, 1945.
13	1948	XXII	The Maharashtra Refugees Act.
14	1948	LI	The Presidency-towns Insolvency (Bombay Amendment) Act, 1948.
15	1950	VII	The Bombay Municipal (Extension of Limits) Act, 1950.
16	1954	LXVIII	The Bombay Extension of Laws to non-scheduled (partially excluded) Areas Act, 1954.
17	1955	XVI	The Provincial Small Causes Courts (Suits Validation) Act, 1955.
18	1956	LVIII	The Bombay Municipal (Further Extension of Limits and Schedule BBA) (Amendment) Act, 1956.
19	1957	I	Sir Chinubhai Madhavlal Ranchhodlal Baronetcy (Repealing) Act, 1956.
20	1957	XXXVI	The Sir Sassoon Jacob David Baronetcy (Repealing) Act, 1957.
21	1958	XLVI	The Bombay Disqualification of Municipal Councillors (Removal of Doubts) Act, 1958.
22	1958	XLVIII	The Bombay Race-courses Licensing and the Bombay Betting Tax Acts (Extension and Amendment) Act, 1958.
23	1960	IX	The Sir Currimbhoy Ebrahim Baronetcy (Repeal and Distribution of Trust Properties) Act, 1959.

(1)	(2)	(3)	(4)
24	1961	VIII	The Bombay Municipal Taxes and Urban Immovable Property Tax (Validation in Certain Areas of the Extended Suburbs of Greater Bombay) Act, 1960.
25	1962	XL	The Urban Immovable Property Tax (Abolition) and General Tax (Increase of Maximum Rate) Act, 1962.
26	1963	X	The Central Provinces and Berar Regulation of Couching (Maharashtra Extension and Amendment) Act, 1962.
27	1964	XIX	The City of Nagpur Corporation (Amendment) Act, 1964.
28	1964	XL	The Bombay Maternity Benefit, Hyderabad Maternity Benefit and Central Provinces and Berar Maternity Benefit (Repeal) Act, 1964.
29	1965	XXVI	The Sir Cowasjee Jehangir Baronetcy (Repealing) Act, 1964.
30	1965	XXXIV	The Bombay Provincial Municipal Corporations and City of Nagpur Corporation (Amendment) Act, 1965.
31	1965	XLIII	The Wakf (Maharashtra Amendment) Act, 1965.
32	1965	XLIX	The Ambernath Interim Municipality (Constitution and Actions) Validation Act, 1965.
33	1966	III	The Borough Municipalities (Validation of certain Taxes on Buildings and Lands) Act, 1965.
34	1967	I	The Madhya Pradesh Housing Board (Amendment) Act, 1966.
35	1967	VI	The Bombay Village Police (Appointments and disciplinary action by Sub-Divisional Magistrates, Validation) Act, 1967.
36	1967	XXXV	The Maharashtra Municipal Corporations (Amendment) Act, 1967.
37	1968	XXIII	The City of Nagpur Corporation (Amendment) Act, 1968.
38	1969	III	The Maharashtra Municipal Corporations (Amendment) Act, 1968.
39	1971	I	The Bombay Sales Tax (Amendment and Validating Provisions) Act, 1970.
40	1971	XIII	The Maharashtra Municipal Corporations (Amendment) Act, 1970.
41	1973	X	The Maharashtra Industrial Relations (Validation of Certain Proceedings) Act, 1972.
42	1973	XXV	The Indian Partnership (Maharashtra Amendment) Act, 1973.
43	1975	III	The City of Nagpur Corporation (Amendment) Act, 1974.
44	1976	XXXII	The Maharashtra Special Provision for Payment of Court-fees Act, 1976.
45	1976	XXXIII	The Maharashtra Dog Race-courses Licensing Act, 1976.
46	1977	XLII	The Maharashtra Municipal Corporations (Amendment) Act, 1977.

(1)	(2)	(3)	(4)
47	1979	XXI	The Bombay Provincial Municipal Corporations and City of Nagpur Corporation (Amendment) Act, 1979.
48	1980	VI	The Maharashtra Municipal Corporations (Amendment) Act, 1980.
49	1980	XX	The Maharashtra Municipal Corporations and Municipalities (Amendment) Act, 1980.
50	1981	XII	The Bombay Provincial Municipal Corporations, City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Act, 1981.
51	1981	LXVIII	The Bombay Provincial Municipal Corporations, City of Nagpur Corporation and Maharashtra Municipalities (Second Amendment) Act, 1981.
52	1981	LXIX	The Bombay Provincial Municipal Corporations, City of Nagpur Corporation and Maharashtra Municipalities (Third Amendment) Act, 1981.
53	1983	XXVII	The Bombay Provincial Municipal Corporations, City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Act, 1983.
54	1984	VII	The Bombay Municipal Corporation, Bombay Provincial Municipal Corporations, City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Act, 1984.
55	1985	III	The Bombay Municipal Corporation, Bombay Provincial Municipal Corporations, City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Act, 1985.
56	1987	XXXVIII	The Bombay Provincial Municipal Corporations and City of Nagpur Corporation (Amendment) Act, 1987
57	1989	XXVIII	The Maharashtra Municipal Corporations and Municipalities (Amendment) Act, 1989.
58	1990	XI	The Maharashtra Municipal Corporations (Amendment) Act, 1990.
59	1990	XII	The Maharashtra Municipal Corporations and Municipalities (Amendment) Act, 1990.
60	1990	XIII	The Maharashtra Municipal Corporations and Municipalities (Second Amendment) Act, 1990.
61	1990	XXXIII	The City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Act, 1990.
62	1991	XV	The Municipal Corporations (Amendment) Act, 1991.
63	1991	XXI	The Maharashtra Municipalities (Temporary Postponement of Elections to Municipal Councils) Act, 1991.
64	1991	XXVI	The Municipal Corporations (Second Amendment) Act, 1991.

STATEMENT OF OBJECTS AND REASONS.

The State Government had directed the Maharashtra State Law Commission to undertake the exercise of examining all the State Laws in force in the State of Maharashtra and to recommend the laws which are needed to be retained, being useful, and old and obsolete laws needed to be repealed, and accordingly, the Maharashtra State Law Commission has submitted 10 reports suggesting the list of Bombay enactments, Bombay Regulations and Maharashtra enactments which need to be repealed and which need to be retained as they are useful. After considering the reports of the Maharashtra State Law Commission and consulting the concerned Administrative Departments implementing the concerned enactments, it is considered expedient to repeal certain old and obsolete enactments to make the Statute Book light and relevant.

This Bill is a measure by which enactments, which have ceased to be in force or have become obsolete or the retention whereof as separate Act is unnecessary, are proposed to be repealed.

Clause 3 of the Bill contains a provision for savings of certain actions as a precautionary provision which is usually included in the Bill of this kind.

2. The Bill intends to achieve the above objectives.

Mumbai,
Dated the 30th July 2016.

DEVENDRA FADNAVIS,
Chief Minister.